

RICKEY L. JACKSON,)
)
Plaintiff,)
)
vs.) Case No. 1:03CV00160 ERW
)
UNITED STATES OF AMERICA,)
)
Defendant.)

This matter comes before the Court on Plaintiff's Appointed Attorney's Request for Compensation of Services and Reimbursement of Out-of-Pocket Expenses [doc. #138].

Local Rule 83-12.03 provides that “[i]n the Court’s discretion, payment may be made from the [Non-Appropriated Fund] upon motion to reimburse a court-appointed attorney for reasonable expenses and attorney’s fees incurred in a civil matter on behalf of an indigent client.” A January 15, 2008 Administrative Order of this Court provides additional guidelines on how the funds are to be distributed. It provides that “[a] district judge or a magistrate judge may order

disbursement of funds not exceeding \$5,000.00 for reimbursement of out-of-pocket expenses and \$5,000.00 for compensation of appointed attorneys.” Any request for out-of-pocket expenses exceeding \$5,000.00 must be referred to the Non-Appropriated Fund Committee.

Mr. Bohnet has submitted detailed records documenting fees in the total amount of \$9,972.00. This total represents 48.7 hours of work performed out of court and 6.7 hours of work performed in court, all at an hourly rate of \$180.00. The Court concludes that the time expended by Mr. Bohnet in his representation of Plaintiff, and the hourly rates claimed, are reasonable. However, the maximum allowed for disbursement from the Non-Appropriated Fund for attorney’s fees is \$5,000.00, and this limit is not to be exceeded under any circumstances. Mr. Bohnet recognized this limit in his Request, and only seeks fees in the amount of \$5,000.00. Accordingly, Mr. Bohnet shall be awarded \$5,000.00 for attorney’s fees.

Mr. Bohnet also requests reimbursement for out-of-pocket expenses in the amount of \$1,241.76. His documented expenses included travel, lodging, meals, and computer-assisted legal research. The Court has reviewed the submissions for expenses and finds that the amounts requested for travel and computer-assisted legal research are reasonable and proper for reimbursement. However, Mr. Bohnet will not be fully reimbursed for his lodging and meal expenses. The Court makes this determination only because the Regulations Governing the Disbursement of Funds from the Non-Appropriated Fund specifically require that “[a]ctual expenses reasonably incurred shall be guided by the prevailing limitations placed upon travel and subsistence expenses of federal judiciary employees in accordance with existing government travel regulations.” For fiscal year 2009, the limit has been set at \$70.00 for lodging and \$39.00 for

meals and incidental expenses per day. As a result, Mr. Bohnet shall be awarded \$1160.76 in out-of-pocket expenses.

Accordingly,


IT IS HEREBY ORDERED that Mr. Eric Bohnet's Request for Compensation of Services and Reimbursement of Out-of-Pocket Expenses [doc. #138] is **GRANTED** in the amount of \$5,000.00 for attorney's fees and \$1160.76 for out-of-pocket expenses, for a total of \$6,160.76.

IT IS FURTHER ORDERED that the Clerk of the Court shall disburse the sum of \$6,160.76 from the Non-Appropriated Fund, payable to:

Eric Bohnet
6617 Southern Cross Dr.
Indianapolis, IN 46237

The Court wishes to express its appreciation to Mr. Bohnet for his efforts on behalf of Plaintiff.

Dated this 26th Day of August, 2009.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE